

ORIGINAL⁹

BEFORE THE

Federal Communications Commission

WASHINGTON, D.C. 20554

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JUN 19 1997

Federal Communications Commission
Office of Secretary

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In the Matter of)
)
 Amendment of Section 73.262(b)) RM
 Table of Allotments) MM Docket No. _____
 FM Broadcasting Stations)
 (Crested Butte, Colorado))

To: Chief, Allocations Branch
 Policy and Rules Division
 Mass Media Bureau

PETITION FOR RULEMAKING

Crested Butte Broadcasting Company ("CBBC"), by its attorneys and pursuant to Section 1.401 of the Commission's rules, hereby requests the institution of a rulemaking proceeding looking toward the amendment of Section 73.202(b), to add Channel 293A (106.5 MHz) to the FM Table of Allotments, as shown below:

	<u>Present</u>	<u>Proposed</u>
Crested Butte, CO	—	293A

Compliance with Engineering Requirements

As shown in the attached Engineering Statement of John R. Furr, Channel 293A may be assigned to the FM Table of Allotments at the proposed reference coordinates in full compliance with all separation requirements as set forth in Section 73.207 of the FCC's rules without the imposition of a site restriction. The reference site is located on an existing radio operation site 3 kilometers

north of the center city of Crested Butte. From this site, petitioner would be able to provide the entire city of Crested Butte with the required 70 dBu contour (Section 73.315). The site proposed does not require coordination with Mexico or Canada, as demonstrated in the attached Engineering Statement.

Public Interest Showing

The addition of Channel 293A to serve Crested Butte would provide this community with its first commercial FM allotment. There is a non-commercial FM station (90.3 MHz, Channel 212) KBUT(FM), serving the community of Crested Butte, but at present, KBUT(FM) has pending before the Commission an application (BPED-970205IA) to relocate its transmitter site away from Crested Butte. Upon the grant of KBUT(FM)'s application by the Commission, Crested Butte will receive no city-grade broadcast signal.¹ Channel 293A would provide city grade coverage to Crested Butte, and would provide service to 2,480 persons within its 60 dBu (1 mV/m) contour having an area of 2,516 square kilometers. The population of Crested Butte is 878 persons (1990 Census) in 650 households; Gunnison County has 10,273 persons. Crested Butte is an incorporated community with several "objective indications of the existence of a common perception that a locality's populace

¹ The Commission's contour map predicts that Crested Butte is within the 60 dBu (1 mV/m) contour of two stations, KZGO(FM), Glenwood Springs, Colorado and KKXK(FM), Montrose, Colorado. However, due to the irregular terrain in and around the Crested Butte area, it is impossible to ascertain the quality of these signals.

constitutes a distinct 'geographic population grouping,'² as required by the Commission, including a local government, town hall, fire department, post office, chamber of commerce, center for the arts, schools, churches, sporting resorts and a business district.

If the FCC authorizes the requested amendment of the FM Table of Allotments and CBBC is granted a construction permit for Channel 293A, CBBC hereby commits to prompt construction of a new facility on Channel 293A and the commencement of operation on that channel as soon as possible.

Therefore, for the reasons set forth above, a rulemaking proceeding looking toward the amendment of Section 73.202(b) of the FCC's rules to add Channel 293A to the FM Table of Allotments should be promptly instituted.

Respectfully submitted,

CRESTED BUTTE BROADCASTING COMPANY

By

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Its Attorneys

June 19, 1997

² See Beacon Broadcasting, 2 FCC Rcd 7562 (1987).

**Engineering Statement of
JF&A Communications Consultants**

ALLOCATION STATEMENT

This statement is prepared on behalf of Crested Butte Broadcasting Company who makes this petition for Rulemaking which requests an amendment of the Table of FM Channel Allotments, Section 73.202(b) of the FCC Rules. The request is to add Channel 293A to Crested Butte, Colorado. This statement discusses the technical factors involved in the above change.

1. The reference coordinates of this Crested Butte, Colorado proposal are:

Latitude 38°53'45" North, Longitude 106°59'01" West

2. As can be seen from the attached Exhibit A, Class A operation from this site will comply with all separation requirements as set forth in §73.207 of the FCC Rules with no site restriction within the city.

3. The reference site is located on an existing radio operation site 3 km north of the center city of Crested Butte. From this site the entire city will be served with the 70 dBu contour as required by §73.315(a) and (b) as shown in Exhibit B.

4. The site proposed herein is 791 km to the nearest point of the US-Mexican border and 1123 km from the Canadian border. Therefore no coordination will be required with Mexico or Canada.

5. The population, according to the 1990 census, to be served is 2,480 persons within the 60 dBu (1 mV/m) contour having an area of 2,516 square kilometers.

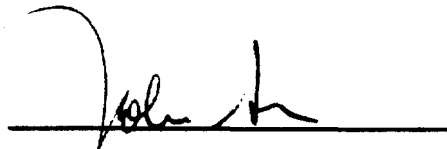
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CRESTED BUTTE, CO
NARRATIVE

6. Crested Butte has one non-commercial FM and no other broadcast services, so this proposal is for a first commercial local service. The population of the city is 878 persons in 650 households. Gunnison County has 10,273 persons.

I, John R. Furr, am a Communications Consultant, and represent Cordell. My qualifications are a matter of record with the Federal Communications Commission, and all statements made herein are true and correct to the best of my knowledge and belief.

April 3, 1997



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NARRATIVE

03-25-1997

John Furr & Associates Inc.

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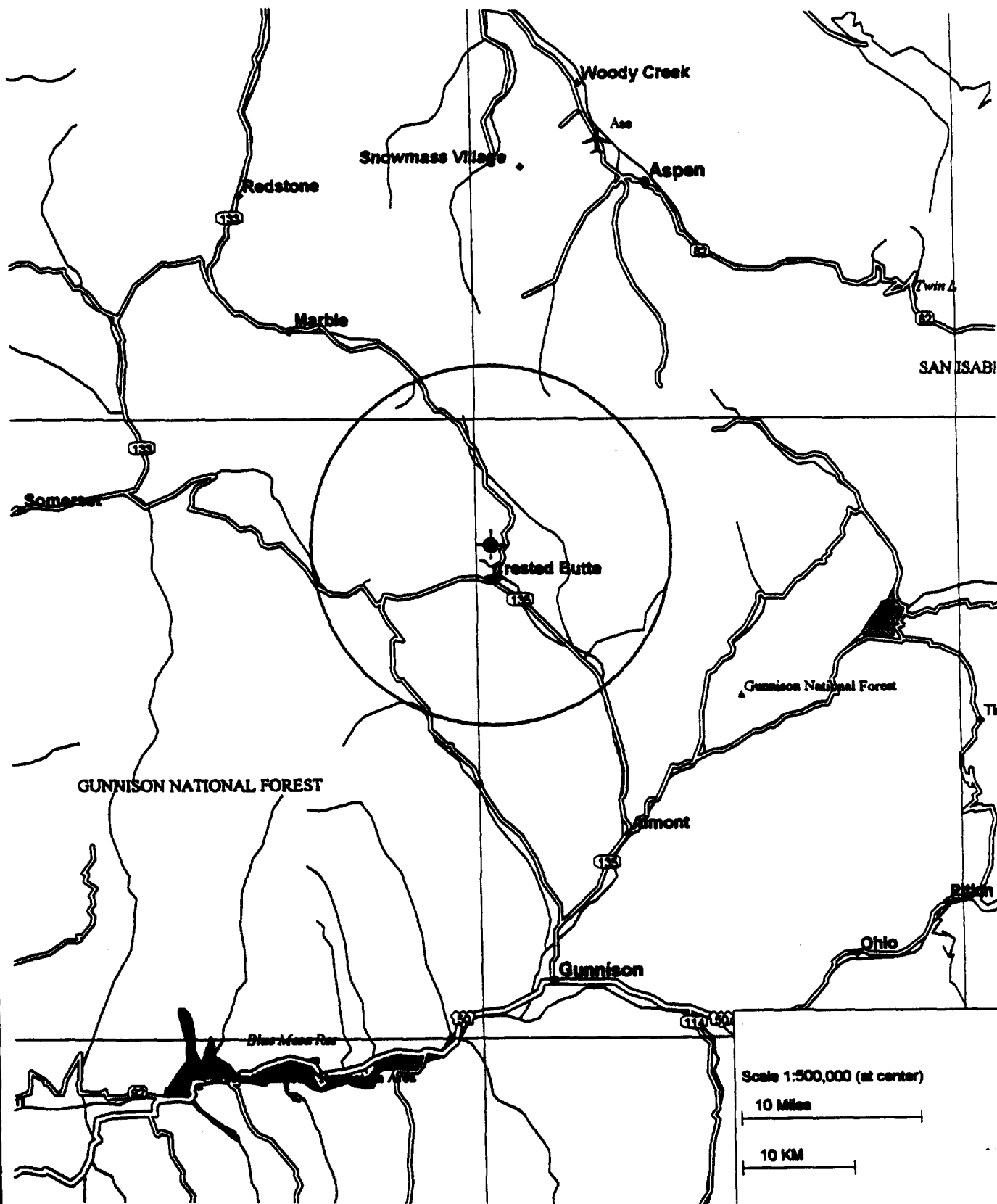
FM Study for: NEW FCC Database Date: 2/97 38-53-45
Location: CRESTED BUTTE, MT Channel Class: A 106-59-01
Call City, State Chan Class Freq kW Latitude Dist. Required
Status Proponent File Number HAAT Longitude Azm. Clear (km)

Study For Channel 293 106.5 MHz

KPVW	ASPEN, CO	296 C3	107.1	20.5	39-18-56	46.6	42	
CP	ASPEN FM, INC.	BMPH-950822ID	110	106-57-32	2.6	+4.6	CLOSE	
KBPI	DENVER, CO	294 C	106.7	100.	39-43-59	177.0	165	
LIC	JACOR BROADCASTING OF	BLH-851120KC	301	105-14-12	57.8	+12.0	CLOSE	
KNFO	BASALT, CO	291 A	106.1	2.0	39-18-55	46.6	31	73.215
LIC	L & B BROADCASTING, L	BLH-950710KD	111	106-57-36	2.5	+15.6	CLEAR	

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EXHIBIT B



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CRESTED BUTTE, CO
EXHIBIT A

CERTIFICATE OF SERVICE

I, Sharon Krantzman, do hereby certify that a Petition for Rulemaking was sent by first-class, postage prepaid mail this 19th day of June, 1997 to the following:

*John A. Karousos, Chief
Allocations Branch Policy and Rules Division
Federal Communications Commission
2025 M Street, NW
Room 8324
Washington, DC 20054


Sharon Krantzman

*Hand Delivery